



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3004712  
**Applicant Name :** Ralph Christensen for Bruce Blume  
**Address of Proposal:** 128 Lake Washington Boulevard East

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 2-story, 12,900 square foot single family residence with attached garage in an environmentally critical area. Project includes 384 square foot detached accessory structure (cabana) and 10' X 40' lap pool, repair of existing pier, installation of new 99 square foot pier addition, and installation of freestanding boatlift. Existing single family residence to be demolished. Construction of proposed structures is under review under construction permit numbers 6085994 and 6087763.

The following approval is required:

**SEPA - Environmental Determination** – Chapter 25.05, SMC

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

**BACKGROUND DATA**

Site and area description

The 75,175 square-foot site (46,494 square feet of dry land) is located in a Single Family Residential zone with a 9,600 square foot minimum lot size (SF 9600) on Lake Washington Boulevard E. between E. Denny Blaine Pl. and E. Howell St. The site slopes from the west to the east, down to Lake

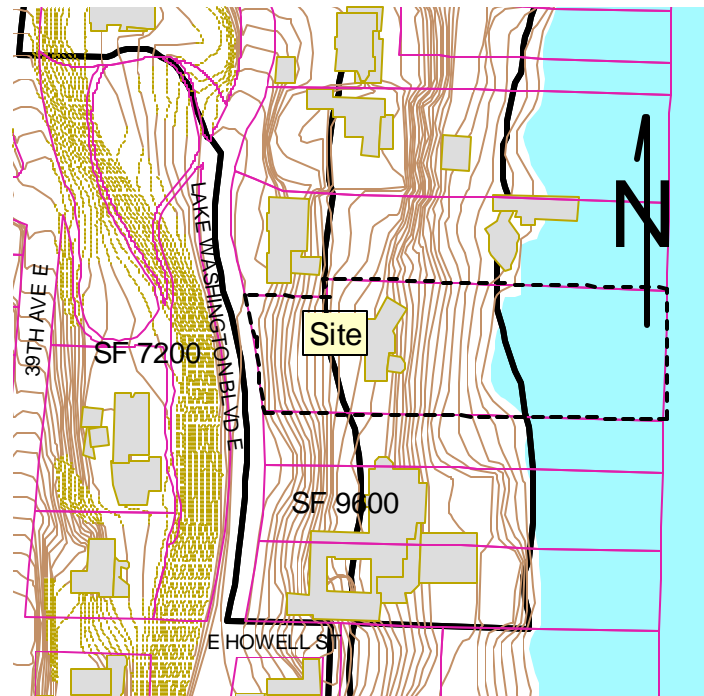
Washington, which borders the east side of the site. The steepest slopes on the site are approximately 45%. The site is a mapped Environmentally Critical Area (ECA) due to the presence of potential slide areas on the western half of the parcel and steep slope areas in the east and central portions of the site. The site is located in an Urban Residential (UR) shoreline area.

Properties to the north and south are also zoned SF 9600 and classified as potential slide and steep slope ECA's. Properties to the west are zoned SF 7200 and classified as potential slide and steep slope ECA's.

The site is currently occupied by the foundation walls of one detached single family residence, which will be demolished.

#### Proposal Description

The applicant proposes to construct a detached single family structure with a daylight basement, an attached three car garage, a lap pool, a 384 square foot cabana building located 25' from the shoreline, repair of the existing pier, and an addition of a finger pier and second boat lift. Vehicular access is from an existing driveway located at Lake Washington Blvd E.



*For illustrative purposes only*

The proposed pier modifications received a shoreline exemption permit under permit number 2502184. The proposed single family residence, garage, pool, and cabana are currently under review for shoreline exemption under permit number 6085994.

#### Public Comments

The public notice was issued on May 18, 2006. There were no comment letters.

#### ANALYSIS - SEPA

Due to the presence of potential slide and steep slope environmentally critical areas, the proposed development is located in an Environmentally Critical Area (ECA). The proposed work is also located in the water column. For these reasons, the application is subject to SEPA review.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 31, 2006. The information in the checklist, supplemental information provided by the applicant (soils report), project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### Short-term Impacts

The following temporary or construction-related impacts on the identified critical area are expected: temporary soil erosion, increased noise from construction operations and equipment, impacts to water quality, and potential historic and cultural resources. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DR 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

#### Earth/Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. The applicant has submitted "Geotechnical Engineering Study; Proposed Turtle Cove Single-family Residence; 128 Lake Washington Boulevard East; Seattle, Washington," prepared by D. Robert Ward, P.E., of Geotech Consultants, Inc. and dated March 24, 2006. The construction plans, including shoring of excavations as needed and erosion control techniques are under separate review by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Construction Noise Impacts

The SEPA Construction Impacts Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. Proposed demolition and construction of the dock and piers, and removal and installation of pilings, may have adverse impacts on neighboring residences.

It is our conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the close proximity of these structures to the proposal site. The proposal is, therefore, conditioned to limit demolition and construction activity to non-holiday weekday hours between 7:30 a.m. and 6:00 p.m.

### Water Quality Impacts

Disturbance of the lakebed sediments is expected because mooring piles will be driven. There is also the potential for construction debris to enter the water during construction, so care will have to be taken to prevent this from occurring. There is the potential for debris to enter the water during construction, so care will have to be taken to prevent this from occurring, as conditioned below.

### Historic and Cultural Preservation

The City mapping system indicates that the subject property is located within the Meander Line Buffer, which follows the original shorelines of Seattle. Given that the site is close to the original shoreline, there is a possibility that unknown resources could be discovered during excavation. Therefore, consistent with DPD Director's Rule [2-98](#) on SEPA Environmental Review and Archaeological Resources, and in order to ensure no adverse impact would occur to an inadvertently discovered archaeological significant resource, DPD conditions the project in accordance with the Director's Rule (condition #4).

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces, and loss of plant and animal habitat.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of these long-term impacts. Additional discussion of vegetation on site and subsequent conditioning is warranted.

*Steep Slope, Potential Slide ECA and Shoreline impacts*

Vegetation in potential slide and steep slope areas provides filtration of storm water runoff to Lake Washington and increases slope stability. The applicant has proposed to increase the amount of impervious surface in the shoreline area. Additional vegetation is needed to offset the impact of the additional proposed impervious surface. In addition to retaining existing vegetation as shown on the plan sets, the applicant shall provide additional vegetation as described in condition #1.

**DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

**CONDITIONS – SEPA**

*Prior to Issuance of Master Use Permit:*

1. The applicant shall show the addition of required vegetation on the final plan set. Required vegetation includes the addition of forty (40) 1-gallon size native species plant shrubs planted maximum four (4) feet on center, and the addition of two (2) 2” caliper minimum native species trees, all of which shall be clustered close to the shoreline area.
2. Approval of the requested Shoreline Exemption (associated with 6085994) is required. (non-appealable condition)

**During Construction**

3. Construction and demolition is limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m., to be modified by Land Use Planner approval.
4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall stop work immediately and notify DPD (Shelley Bolser, 206-733-9067) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation, Robert Whitlam, (360) 586-3080, or the current person in the position. The procedures outlined in Appendix A of Director’s Rule 2-98

for Assessment and/or protection of potentially significant archeological resources shall be followed. The applicant(s) and/or responsible party(ies) shall abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44 RCW and Chapter 25.48 WAC, as applicable.

5. All involved parties shall follow Best Management Practices (BMP).
6. If there is evidence of leakage of hazardous materials to the water, the use of such equipment shall be suspended until leaking is repaired.
7. Any treated wood shall be treated using BMP (creosote or pentachlorophenol prohibited).

**For the Life of the Project**

8. BMP shall be followed.

Signature: \_\_\_\_\_ (signature on file) Date: October 2, 2006  
Shelley Bolser, Land Use Planner  
Department of Planning and Development

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